

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 6, 2001

LB 574

license is limited to the information appearing on the face of the license. So you've got...you've got your picture, you've got the other, date of birth, age, those things are permissible to be encoded on the license, but that's all that's permissible. The amendment also provides, as I pointed out, and that is in Section...subsection (4) of Section 3, pages 1 and 2 of the amendment, that the Department of Motor Vehicles shall not release a biometric identifier other than a physical description, except upon the issuance of a search warrant by a court of competent jurisdiction and, again, any employee that would do that without that valid search warrant would be guilty of a Class IV felony and be subject to removal from office and lose their job. Those are the...are the issues that the amendment attempts to deal with. I know that, with respect to the information that appeared on the card, Senator Kristensen had a...had an interest in that on General File and I think this, hopefully, helps with that. I think it does what he was concerned about and I think it's the right thing to do. I'll be quite honest with you, I had some qualms at first about inserting the Class IV felony penalty, but after meeting and discussing it with the Department of Motor Vehicles and...and other people in state government that deal with this issue I find that that penalty is consistent with the Privacy Act and the penalty for violating the Privacy Act, so I...I think it's probably appropriate. There should be a strong incentive not to release private information. I should also...I'd also like to comment that, as I had mentioned before, there are some 45 states that use this kind of a process and some have, for several years, and there have not been reported cases of abuse, release of information, or problems that have arisen out of the use of this kind of technology that have been brought to the attention of the public or that have been talked about in meetings dealing with this subject. It, fortunately, hasn't happened, so that helps me somewhat in having a level of comfort with going forward with the mechanisms that we have in this bill. With that, Mr. President, I will conclude my opening on the amendment.

SENATOR COORDSEN PRESIDING

SENATOR COORDSEN: Thank you, Senator Brown...Bromm. Bromm.